

NEBRASKA ADMINISTRATIVE CODE

Title 68 - DEPARTMENT OF CORRECTIONAL SERVICES

Chapter 8 - CHANGES IN RULES AND REGULATIONS

001 Department Changes of Rules. Promulgation, amendment, or repeal of any Department rules shall be in accordance with Nebraska Statutes sections 84-901 *et seq.*, regarding changes in rules for administrative agencies.

002 Proposed Changes in Department Rules by Petition.

002.01 Interested persons may petition the Director requesting the promulgation, amendment, or repeal of any Department rules. Any such petition must state the nature of the proposed rule, amendment or repeal of a rule in detail; must designate one individual as the circulator of the petition and must state the circulator's full name and mailing address; and contain the legible signatures, mailing addresses, and dates of signatures of all others purporting to support the petition. Those signing the petition(s) must be residents of the State of Nebraska over the age 18, but need not be registered voters or eligible to vote.

002.02 Any such petition as described in paragraph 002.01, above, should be submitted to the Director of the Department of Correctional Services by certified mail. The Director or the Director's designee will then respond in writing to the circulator of the petition within ten work days after the Director's receipt of the petition, informing the circulator of the Department's position with respect to the proposal set out in the petition. A copy of the petition and the Director's response shall be maintained in the Department's files.

003 Administrative Regulations and Operational Memoranda. The Department's Rules promulgated under the Nebraska Statutes sections 84-901 *et seq.*, create rights on behalf of inmates of the Department and on behalf of others who may be affected directly by the Rules. From time to time, the Department may also promulgate regulations and operational memoranda pursuant to the exception set out in §84-901 (2) of the Nebraska Statutes for matters concerning the internal management of the Department and not concerning private rights, private interests or procedures available to the public.

General Statutory Power: Neb. Rev. Stat. §§83-171; 83-173, 83-4, 109 to 83-4, 123; and 84-901 to 84-920.

(Last Revised: February, 1989)